

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
 Plaintiff,) 8:06CR316
)
 vs.) **FINAL ORDER OF**
) **FORFEITURE**
)
JOSE G. VALDIVIA,)
)
 Defendant.)

This matter is before the Court on the United States' Motion for Final Order of Forfeiture (Filing No. 91). The Court reviews the record in this case and, being duly advised in the premises, find as follows:

1. On February 6, 2008, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 21, United States Code, Sections 841(a) and 853, Title 18, United States Code, Sections 924(c) and 924(d) and Title 28, United States Code, Section 2461(c), based upon the Defendant's plea of guilty to Counts I, III, IV, V and VI of the Superseding Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in \$7,165.00 in United States currency, a 2002 Chevrolet Silverado pickup, VIN 2GCEK19T021198394, a Lorcin .380 pistol and a Desert Eagle 9mm pistol, were forfeited to the United States.

2. On February 21, 28 and March 6, 2008, the United States published in a newspaper of general circulation notice of this forfeiture and of the intent of the United States to dispose of the properties in accordance with the law, and further notifying all third parties of their right to petition the Court within the stated period of time for a hearing to

adjudicate the validity of their alleged legal interest(s) in said properties. An Affidavit of Publication was filed herein on April 4, 2008 (Filing No. 90).

3. The Court has been advised by the United States no Petitions have been filed.

From a review of the Court file, the Court finds no Petitions have been filed.

IT IS THEREFORE ORDERED:

A. The Plaintiff's Motion for Final Order of Forfeiture (Filing No. 91) is hereby sustained.

B. All right, title and interest in and to the \$7,165.00 in United States currency, a 2002 Chevrolet Silverado pickup, VIN 2GCEK19T021198394, a Lorcin .380 pistol and a Desert Eagle 9mm pistol, held by any person or entity, is hereby forever barred and foreclosed.

C. The \$7,165.00 in United States currency, a 2002 Chevrolet Silverado pickup, VIN 2GCEK19T021198394, a Lorcin .380 pistol and a Desert Eagle 9mm pistol, be, and the same hereby are, forfeited to the United States of America .

D. The United States Marshal for the District of Nebraska is directed to dispose of said property in accordance with law.

DATED this 7th day of April, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge